

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CECIL EUGENE SHAW,  
Plaintiff,

v.

IRVING M. VILLA;  
RUFINO VASQUEZ; and Does 1-10,  
Defendants.

Case No. [5:19-cv-00506-EJD](#)


**ORDER TO SHOW CAUSE**

On April 1, 2019, the Clerk issued a Notice Entry of Default as to the sole remaining defendant, Irving M. Villa. *See* Dkt. Nos. 12, 14. To date, Plaintiff has not applied to the court for a default judgment pursuant to Federal Rule of Civil Procedure 55(b)(2).

Accordingly, the court hereby issues an Order to Show Cause why this action should not be dismissed for failure to prosecute. If Plaintiff does not, by **September 24, 2020**, file a motion for default judgment or otherwise demonstrate good cause in writing why this action should not be dismissed, the court will dismiss the action with prejudice pursuant to Federal Rule of Civil Procedure 41(b). No hearing will be held on the Order to Show Cause unless otherwise ordered by the court.

**IT IS SO ORDERED.**

Dated: September 10, 2020

  
EDWARD J. DAVILA  
United States District Judge

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